

MINUTES

CASE NUMBERS: CV NO. 17-00254 HG-KJM
CV NO. 14-00217 HG-RLP

CASE NAMES: Olympus Insurance Company v. Cara Barber,
Ohana Military Communities, LLC; Forest
City Residential Management, Inc.; United
Services Automobile Association

Cara Barber v. Ohana Military
Communities, LLC; Forest City Residential
Management, Inc.

ATTYS FOR PLA Patricia K. Wall, Esquire
OLYMPUS Matthew C. Scarfone, Esquire, by
INSURANCE: telephone

ATTYS FOR DEFT Terrance M. Revere
CARA BARBER: Patrick Kyle Smith, Esquire

ATTY FOR DEFTS
OHANA MILITARY Randall C. Whattoff, Esquire
AND FOREST CITY
RESIDENTIAL
MGMT:

ATTY FOR Carlos D. Perez-Mesa Jr., Esquire
INTERVENOR DEFT
UNITED SERVICES
AUTOMOBILE
ASSOCIATION:

JUDGE: Helen Gillmor

REPORTER: Cynthia Fazio

DATE: 9/5/2018

TIME: 10:30am-11:45am

COURT ACTION:

EP: STATUS CONFERENCE

Discussion held regarding subject-matter jurisdiction and the pending motions in Olympus Insurance Co. v. Cara Barber, et al, 17-cv-00254 HG-KJM and the pending motions in Cara Barber v. Ohana Military Communities, et al., 14-cv-00217 HG-RLP.

[11:07] The Court recessed to allow the Parties to confer outside the presence of the Court.

[11:30] The Court reconvened.

Further discussion held.

The Parties agree to engage in settlement discussions before Magistrate Judge Kenneth J. Mansfield in the pending related cases: 17-cv-00254 HG-KJM, 18-cv-00042 KJM, and 14-cv-00217 HG-RLP.

I. Cara Barber v. Ohana Military Communities, LLC, et al., 14-cv-00217 HG-RLP is HELD IN ABEYANCE

The Court will hold proceedings in abeyance to allow the Parties to pursue global settlement.

The briefing on Plaintiff Cara Barber's Motion to Dismiss (ECF No. 436) is **HELD IN ABEYANCE** and the briefing schedule is **VACATED**.

The letter sent from Defendants Ohana Military Communities and Forest City Residential Management dated July 31, 2018 requesting a scheduling conference as to their Motion to Disqualify Counsel (ECF No. 442) is **HELD IN ABEYANCE**.

The Parties shall notify the Court as to the progress of settlement discussions.

II. Olympus Insurance Co. v. Cara Barber, et al., 17-cv-00254 HG-KJM is HELD IN ABEYANCE

A. Defendant Cara Barber's Motion to Dismiss For Lack of Diversity Jurisdiction (ECF No. 50)

Defendant Cara Barber's MOTION TO DISMISS FOR LACK OF DIVERSITY JURISDICTION (ECF No. 50)

and

Defendant-Intervenor UNITED SERVICES AUTOMOBILE ASSOCIATION'S SUBSTANTIVE JOINDER TO DEFENDANT CARA BARBER'S MOTION TO DISMISS FOR LACK OF

DIVERSITY JURISDICTION (ECF No. 53)

are **HELD IN ABEYANCE**.

B. Plaintiff's Motion For Leave To File First Amended Complaint (ECF No. 49)

The Court **UNREFERS** Plaintiff's MOTION FOR LEAVE TO FILE FIRST AMENDED COMPLAINT FOR DECLARATORY RELIEF (ECF No. 49).

The hearing on Plaintiff's Motion for Leave currently set for September 19, 2018 before Magistrate Judge Kenneth J. Mansfield is hereby **VACATED**.

Plaintiff's Motion for Leave to File First Amended Complaint (ECF No. 49) is **HELD IN ABEYANCE**.

The Parties shall notify the Court as to the progress of settlement discussions.

Submitted by: Rachel Sharpe, Courtroom Manager